



City of
LAUNCESTON

COUNCIL MINUTES

**COUNCIL MEETING
THURSDAY 28 NOVEMBER 2019
1.00pm**

The Ordinary Meeting of the City of Launceston Council was held at the Council Chambers, Town Hall, St John Street, Launceston:

Date: 28 November 2019

Time: 1.00pm

Certificate of Qualified Advice

Background

To comply with section 65 of the *Local Government Act 1993* (Tas):

1. A general manager must ensure that any advice, information or recommendation given to the council or a council committee is given by a person who has the qualifications or experience necessary to give such advice, information or recommendation.
2. A council or council committee is not to decide on any matter which requires the advice of a qualified person without considering such advice unless -
 - (a) the general manager certifies, in writing -
 - (i) that such advice was obtained; and
 - (ii) the general manager took the advice into account in providing general advice to the council or council committee; and
 - (b) a copy of that advice or, if the advice was given orally, a written transcript or summary of that advice is provided to the council or council committee with the general manager's certificate.

Certification

I certify that:

- (i) the advice of a qualified person has been sought where required;
- (ii) this advice was taken into account in providing general advice to the council or council committee; and
- (iii) a copy of the advice, or a written transcript or summary of advice provided orally, is included with the minutes item.



Michael Stretton
General Manager

City of Launceston

COUNCIL MINUTES

Thursday 28 November 2019

Present: **Councillor** **A M van Zetten (Mayor)**
 D C Gibson (Deputy Mayor)
 J Finlay
 A E Dawkins
 N D Daking
 D H McKenzie
 K P Stojansek
 R I Soward
 P S Spencer
 J G Cox
 A G Harris
 T G Walker

In Attendance: **Mr M Stretton (General Manager)**
 Mr S G Eberhardt (Director Infrastructure Services)
 Mrs L M Hurst (Director Development Services and
 Acting Director Facilities Management)
 Ms L Foster (Director Corporate Services)
 Mrs L Purchase (Acting Manager Corporate
 Strategy)
 Mrs A Rooney (Committee Clerk)

ORDER OF BUSINESS

Item No	Item	Page No
1	OPENING OF MEETING - ATTENDANCE AND APOLOGIES	1
2	DECLARATIONS OF INTEREST	1
3	CONFIRMATION OF MINUTES	1
4	DEPUTATIONS	2
	No Deputations were identified as part of these Minutes	2
5	PETITIONS	2
	No Petitions were identified as part of these Minutes	2
6	COMMUNITY REPORTS	2
6.1	Ms Naomi Walsh (Co-Chair) - 2019 Tamar Valley Cycle Challenge - Sally's Ride	2
7	PUBLIC QUESTION TIME	3
7.1	Public Questions on Notice	3
	No Public Questions on Notice were identified as part of these Minutes	3
7.2	Public Questions Without Notice	3
	No Public Questions Without Notice were identified as part of these Minutes	3
8	PLANNING AUTHORITY	4
8.1	234 Wellington Street, South Launceston - Food Services - Partial Change of Use to Drive-Through Coffee Premises - Construction of a Sign	4
8.2	Amendment 59 - Text Amendment to Include a Site Specific Qualification for Assisted Housing at 22 Hoblers Bridge Road, Newstead	9

City of Launceston

COUNCIL MINUTES

Thursday 28 November 2019

Item No	Item	Page No
9	ANNOUNCEMENTS BY THE MAYOR	14
9.1	Mayors Announcements	14
10	COUNCILLOR'S REPORTS	15
11	QUESTIONS BY COUNCILLORS	16
11.1	Questions on Notice	16
11.1.1	Councillors' Questions on Notice - Councillor D C Gibson - Queen Victoria Museum and Art Gallery Audit - Council Meeting - 14 November 2019	17
11.1.2	Councillors' Questions on Notice - Councillor D C Gibson - Princess Theatre Recycling - Council Meeting - 14 November 2019	18
11.1.3	Councillors' Questions on Notice - Councillor T G Walker - Gorge Hotel Development - Council Meeting - 14 November 2019	20
11.2	Questions Without Notice	21
	No Councillor's Questions Without Notice were identified as part of these Minutes	21
12	COMMITTEE REPORTS	22
12.1	Northern Youth Coordinating Committee Meeting - 5 November 2019	22
12.2	Audit Panel Meeting - 6 November 2019	23
13	COUNCIL WORKSHOPS	24
13.1	Council Workshop Report	24
14	NOTICES OF MOTION	26
	No Notices of Motion were identified as part of these Minutes	26

City of Launceston

COUNCIL MINUTES

Thursday 28 November 2019

Item No	Item	Page No
15	DEVELOPMENT SERVICES DIRECTORATE ITEMS	27
15.1	Delegation from Council to Council Officers - Building Act 2016 (Tas) and Building Regulations 2016	27
15.2	Revised Entry of the Cataract Gorge Reserve on the Tasmanian Heritage Register	30
16	FACILITIES MANAGEMENT DIRECTORATE ITEMS	31
	No Items were identified as part of these Minutes	31
17	CREATIVE ARTS AND CULTURAL SERVICES DIRECTORATE ITEMS	31
	No Items were identified as part of these Minutes	31
18	INFRASTRUCTURE SERVICES DIRECTORATE ITEMS	32
18.1	Unsolicited Proposals to Develop Council Owned Property - High Level Procedure	32
18.2	Lease - Lilydale Bowls Club Inc.	42
18.3	Adoption of the Stormwater System Management Plan	44
18.4	Petition - Installation of FOGO Bins at Scotch Oakburn College	46
19	CORPORATE SERVICES DIRECTORATE ITEMS	46
	No Items were identified as part of these Minutes	46
20	GENERAL MANAGER'S DIRECTORATE ITEMS	46
	No Items were identified as part of these Minutes	46
21	URGENT BUSINESS	46
	No Urgent Items were identified as part of these Minutes	46

City of Launceston

COUNCIL MINUTES

Thursday 28 November 2019

Item No	Item	Page No
22	CLOSED COUNCIL	46
	No Closed Items were identified as part of these Minutes	46
23	MEETING CLOSURE	46

1 OPENING OF MEETING - ATTENDANCE AND APOLOGIES

The Mayor, Councillor A M van Zetten, opened the Meeting at 1.00pm.

2 DECLARATIONS OF INTEREST

Local Government Act 1993 - section 48

(A councillor must declare any interest that the councillor has in a matter before any discussion on that matter commences.)

No Declarations of Interest were identified as part of these Minutes

3 CONFIRMATION OF MINUTES

Local Government (Meeting Procedures) Regulations 2015 - Regulation 35(1)(b)

RECOMMENDATION:

That the Minutes of the Ordinary Meeting of the City of Launceston Council held on 14 November 2019 be confirmed as a true and correct record.

DECISION: 28 November 2019**MOTION**

Moved Councillor D C Gibson, seconded Councillor P S Spencer.

That the Motion, as per the Recommendation to Council, be adopted.

CARRIED 12:0

FOR VOTE: Mayor Councillor A M van Zetten, Deputy Mayor Councillor D C Gibson, Councillor J Finlay, Councillor A E Dawkins, Councillor N D Daking, Councillor D H McKenzie, Councillor K P Stojansek, Councillor R I Soward, Councillor P S Spencer, Councillor J G Cox, Councillor A G Harris and Councillor T G Walker

4 DEPUTATIONS

No Deputations were identified as part of these Minutes

5 PETITIONS

Local Government Act 1993 - sections 57 and 58

No Petitions were identified as part of these Minutes

6 COMMUNITY REPORTS

(Community Reports allow an opportunity for Community Groups to provide Council with a three minute verbal presentation detailing activities of the group. This report is not intended to be used as the time to speak on Minutes Items; that opportunity exists when that Minutes Item is about to be considered. Speakers are not to request funding or ask questions of Council. Printed documentation may be left for Councillors.)

6.1 Ms Naomi Walsh (Co-Chair) - 2019 Tamar Valley Cycle Challenge - Sally's Ride

Ms Walsh provided Council with details on *Sally's Ride 2019*, organised by the Rotary Club of Central Launceston. *Sally's Ride*, to be held on 1 December 2019, includes five road cycling rides and two off-road family/community rides. Ms Walsh thanked the Council and event's sponsors for their on-going support and sponsorship of the event. This year's proceeds will support local charity *Speak Up Stay Chatty*.

7 PUBLIC QUESTION TIME

Local Government (Meeting Procedures) Regulations 2015 - Regulation 31

7.1 Public Questions on Notice

Local Government (Meeting Procedures) Regulations 2015 - Regulation 31(1)

(Questions on Notice must be in writing and should be received by the General Manager at least seven days before the relevant Council Meeting. Questions on Notice will be researched by Council Officers and both the Question on Notice (as received) and the response will be provided at the Council Meeting and a reply in writing will also be provided.)

No Public Questions on Notice were identified as part of these Minutes

7.2 Public Questions Without Notice

Local Government (Meeting Procedures) Regulations 2015 - Regulation 31(2)(b)

(Members of the public who ask Questions without Notice at a meeting will have both the question and any answer provided recorded in the Minutes. Council Officers will endeavour to answer the question asked at the meeting, however, that is not always possible and more research may be required. If an answer cannot be provided at the Meeting, the question will be treated as a Question on Notice. A response will be provided at the next Council Meeting.)

No Public Questions Without Notice were identified as part of these Minutes

The Mayor, Councillor A M van Zetten, announced that under the provisions of the *Land Use Planning and Approvals Act 1993*, Council acts as a Planning Authority in regard to items included in Agenda Item 8 - Planning Authority.

8 PLANNING AUTHORITY

8.1 234 Wellington Street, South Launceston - Food Services - Partial Change of Use to Drive-Through Coffee Premises - Construction of a Sign

FILE NO: DA0467/2019

AUTHOR: Brian White (Town Planner)

DIRECTOR: Leanne Hurst (Director Development Services)

DECISION STATEMENT:

To consider and determine a development application pursuant to the *Land Use Planning and Approvals Act 1993*.

RECOMMENDATION:

In accordance with sections 51 and 57 of the *Land Use Planning and Approvals Act 1993* and the Launceston Interim Planning Scheme 2015, a permit be granted for DA0467/2019 - Food Services - Partial change of use to drive-through coffee premises; Construction of a sign at 234 Wellington Street, South Launceston subject to the following conditions:

1. ENDORSED PLANS & DOCUMENTS

The use and development must be carried out in accordance with the endorsed plans and documents to the satisfaction of the Council unless modified by a condition of the Permit:

- a. Ground Floor Plan; North East Elevation; Proposed Wall Sign Replacement, Prepared by ARTAS Architects, Drawing No. A7000, Revision A03, Dated 25/9/2019 (Plan to be amended).
- b. Response to further information request, Prepared by ARTAS Architects, Dated 23/9/2019.

2. AMENDED PLANS REQUIRED

Prior to the commencement of the Food Services Use, amended plans must be submitted to the satisfaction of the Council to replace plans annotated as "Amended Plans Required" and attached to the Permit. Once approved, these amended plans will be endorsed by the Council and will then form part of the Permit. The amended plans must show:

8.1 234 Wellington Street, South Launceston - Food Services - Partial Change of Use to Drive-Through Coffee Premises - Construction of a Sign ...(Cont'd)

- a. One accessible car parking space provided on site for use by persons with a disability:
- In accordance with Part D3 of the National Construction Code 2014 (as amended from time to time);
 - Located closest to the main entry point to the building; and
 - Designed and constructed in accordance with *AS/NZ2890.6 - 2009 Parking facilities - Off-street parking for people with disabilities*.

3. LEGAL TITLE

All development and use associated with the proposal must be confined to the legal title of the subject land.

4. USE LIMITATION

This permit allows the use for a café, defined as Food Services in the Launceston Interim Planning Scheme 2015. The use is limited to:

- Two employees present on the site at any given time.

5. HOURS OF CONSTRUCTION

Construction works must only be carried out between the hours of:

Monday to Friday - 7.00am to 6.00pm

Saturday - 8.00am to 5.00pm

No works on Sunday or Public Holidays.

6. TASWATER

The development must comply with the requirements of TasWater as detailed in the form Submission to Planning Authority Notice, Reference No. TWDA No. 2019/01359-LCC, 23/9/2019 and attached to the permit.

7. SIGNAGE CONTENT

Content of the sign may be updated or changed without separate approval of Council, subject to:

- a. The structure, location and size of the signage not changing.
- b. The content of the signage relating to the site.
- c. Compliance with the requirements of the planning scheme.

8. NO SIGN ILLUMINATION

The signs must not be floodlit or otherwise internally illuminated.

9. REMOVAL OF EXISTING SIGNS

Prior to the erection or display of the signs approved by this permit, all other signs on the subject land related to the previous car yard must be removed.

8.1 234 Wellington Street, South Launceston - Food Services - Partial Change of Use to Drive-Through Coffee Premises - Construction of a Sign ...(Cont'd)

10. SIGN MAINTENANCE

The signs must be constructed and maintained in good condition to the satisfaction of the Council.

11. DRIVEWAY AND PARKING AREA CONSTRUCTION

Before the use commences, areas set aside for parking vehicles and access lanes as shown on the endorsed plans must:

- a. Be properly constructed to such levels that they can be used in accordance with the plans;
- b. Be surfaced with an impervious all weather seal;
- c. Be adequately drained to prevent stormwater being discharged to neighbouring property;
- d. Be signed to denote the direction of travel through the site in IN ONLY from Wilmot Street and OUT ONLY onto Wellington Street. NO ENTRY signage to be installed on Wellington Street; and
- e. Be line-marked to show the drive thru lanes.

Parking areas and access lanes must be kept available for these purposes at all times.

12. DAMAGE TO COUNCIL INFRASTRUCTURE

The developer is liable for all costs associated with damage to Council infrastructure resulting from non-compliance with the conditions of the Planning Permit and any by-law or legislation relevant to the development activity on the site. The developer will also be liable for all reasonable costs associated with the enforcement of compliance with the conditions, by-laws and legislation relevant to the development activity on the site.

13. AMENITY - COMMERCIAL/INDUSTRIAL USE

The construction phase and on-going use on this site must not adversely affect the amenity of the neighbouring properties and the general locality by reason of the processes carried on; the transportation of materials, goods or commodities to or from the subject land; the works or materials; the emission of noise, artificial light, vibration, odour, smoke, dust, waste water, waste products, oil or any other source of nuisance.

Notes**A. General**

This permit was issued based on the proposal documents submitted for DA0467/2019. You should contact Council with any other use or developments, as they may require the separate approval of Council. Council's planning staff can be contacted on 6323 3000.

8.1 234 Wellington Street, South Launceston - Food Services - Partial Change of Use to Drive-Through Coffee Premises - Construction of a Sign ...(Cont'd)

This permit takes effect after:

- a. *The 14 day appeal period expires; or*
- b. *Any appeal to the Resource Management and Planning Appeal Tribunal is withdrawn or determined; or*
- c. *Any agreement that is required by this permit pursuant to Part V of the Land Use Planning and Approvals Act 1993 is executed; or*
- d. *Any other required approvals under this or any other Act are granted.*

This permit is valid for two years only from the date of approval and will thereafter lapse if the development is not substantially commenced. An extension may be granted subject to the provisions of the Land Use Planning and Approvals Act 1993 as amended, by a request to Council.

B. Restrictive Covenants

The granting of this permit takes no account of any covenants applicable to the land. The permit holder and any other interested party, should make their own enquiries as to whether the proposed development is affected, restricted or prohibited by any such covenant.

If the proposal is non-compliant with any restrictive covenants, those restrictive covenants should be removed from the title prior to construction commencing or the owner will carry the liability of potential legal action in the future.

C. Appeal Provisions

A planning appeal may be instituted by lodging a notice of appeal with the Registrar of the Resource Management and Planning Appeal Tribunal.

A planning appeal may be instituted within 14 days of the date the Corporation serves notice of the decision on the applicant.

For more information see the Resource Management and Planning Appeal Tribunal website www.rmpat.tas.gov.au <<http://www.rmpat.tas.gov.au>>

D. Permit Commencement

If an applicant is the only person with a right of appeal pursuant to section 61 of the Land Use Planning and Approvals Act 1993 and wishes to commence the use or development for which the permit has been granted within that 14 day period, the Council must be so notified in writing. A copy of Council's Notice to Waive Right of Appeal is attached.

8.1 234 Wellington Street, South Launceston - Food Services - Partial Change of Use to Drive-Through Coffee Premises - Construction of a Sign ...(Cont'd)

E. Food Premises

All Food Businesses must be registered with council in accordance with the Food Act 2003. Food Premises must comply with the National Construction Code TAS Part H102 - Potentially Contaminated Site.

There is a current 'potentially contaminated site' alert for this property and the source of the potential contamination is underground storage tanks. The proposed change of use does not require any further investigation at this time, however, if the use of this site changes to a more sensitive use eg. residential premises or the site is significantly developed (disturbance of more than 1m² of land) then an Environmental Site Assessment in accordance with the requirements of Environmental Management and Pollution Control Act 1994 will be required by council prior to further approvals being granted.

Mrs L Hurst (Director Development Services), Ms P Glover (Team Leader Planning Assessments) and Mr B White (Town Planner) were in attendance to answer questions of Council in respect of this Agenda Item.

Mr Damon Wecker spoke for the Recommendation

DECISION: 28 November 2019

MOTION

Moved Councillor D H McKenzie, seconded Councillor J Finlay.

That the Motion, as per the Recommendation to Council, be adopted.

CARRIED 12:0

FOR VOTE: Mayor Councillor A M van Zetten, Deputy Mayor Councillor D C Gibson, Councillor J Finlay, Councillor A E Dawkins, Councillor N D Daking, Councillor D H McKenzie, Councillor K P Stojansek, Councillor R I Soward, Councillor P S Spencer, Councillor J G Cox, Councillor A G Harris and Councillor T G Walker

8.2 Amendment 59 - Text Amendment to Include a Site Specific Qualification for Assisted Housing at 22 Hoblers Bridge Road, Newstead**FILE NO:** SF6981**AUTHOR:** Laura Small (Town Planner)**DIRECTOR:** Leanne Hurst (Director Development Services)

DECISION STATEMENT:

To consider whether to initiate Amendment 59 to insert the Residential use class as a discretionary use (if for Assisted Housing at 22 Hoblers Bridge Road, Newstead) in the Community Purpose Zone.

RECOMMENDATION:

That Council:

1. pursuant, to the former section 34(1)(b) of the *Land Use Planning and Approvals Act 1993*, initiates Amendment 59 to the Launceston Interim Planning Scheme 2015 to insert the Residential use class as a discretionary use with the qualification, 'if for Assisted Housing at 22 Hoblers Bridge Road, Newstead' in Table 17.2 of the Community Purpose Zone of the Launceston Interim Planning Scheme 2015.
 2. directs Council Officers to prepare Draft Amendment 59 of the Launceston Interim Planning Scheme 2015.
 3. in accordance with the former section 6(3) of the *Land Use Planning and Approvals Act 1993*, delegates to the Director of Development Services its functions under section 35(1) of the *Land Use Planning and Approvals Act*, for the purposes of Amendment 59 to the Launceston Interim Planning Scheme 2015.
 4. in accordance with the former section 38(a) of the *Land Use Planning and Approvals Act 1993*, determine the period for public exhibition to be 28 days.
-

Mrs L Hurst (Director Development Services), Ms P Glover (Team Leader Planning Assessments) and Ms L Small (Town Planner) were in attendance to answer questions of Council in respect of this Agenda Item.

8.2 Amendment 59 - Text Amendment to Include a Site Specific Qualification for Assisted Housing at 22 Hoblers Bridge Road, Newstead ...(Cont'd)

Mr John Gilpin (on behalf of St Michaels Association Inc.) spoke for the Recommendation

DECISION: 28 November 2019

MOTION

Moved Councillor D C Gibson, seconded Councillor D H McKenzie.

That the Motion, as per the Recommendation to Council, be adopted.

CARRIED 12:0

FOR VOTE: Mayor Councillor A M van Zetten, Deputy Mayor Councillor D C Gibson, Councillor J Finlay, Councillor A E Dawkins, Councillor N D Daking, Councillor D H McKenzie, Councillor K P Stojansek, Councillor R I Soward, Councillor P S Spencer, Councillor J G Cox, Councillor A G Harris and Councillor T G Walker

The Mayor, Councillor A M van Zetten, announced that Council no longer sits as a Planning Authority.

DECISION: 28 November 2019

MOTION

Moved Councillor J Finlay, seconded Councillor D C Gibson.

That Council move to discuss Agenda Item 18.4 - Petition - Installation of FOGO Bins at Scotch Oakburn College.

CARRIED 12:0

FOR VOTE: Mayor Councillor A M van Zetten, Deputy Mayor Councillor D C Gibson, Councillor J Finlay, Councillor A E Dawkins, Councillor N D Daking, Councillor D H McKenzie, Councillor K P Stojansek, Councillor R I Soward, Councillor P S Spencer, Councillor J G Cox, Councillor A G Harris and Councillor T G Walker

Council moved to Agenda Item 18.4 - Petition - Installation of FOGO Bins at Scotch Oakburn College

18.4 Petition - Installation of FOGO Bins at Scotch Oakburn College**FILE NO:** SF0097/SF3942**AUTHOR:** Michael Attard (Waste and Environment Officer)**DIRECTOR:** Shane Eberhardt (Director Infrastructure Services)

DECISION STATEMENT:

To consider the petition from Scotch Oakburn College requesting FOGO bins at the school and provide options for a FOGO service.

PREVIOUS COUNCIL CONSIDERATION:

Council - 17 October 2019 - Agenda Item 5.1 - Petition - Installation of FOGO Bins at Scotch Oakburn College

RECOMMENDATION:

That Council notes that City of Launceston's Waste and Environment Officers have discussed with the petitioners the options available to assist Scotch Oakburn College to implement a food and organics waste management service.

Mr S Eberhardt (Director Infrastructure Services) was in attendance to answer questions of Council in respect of this Agenda Item.

Mr Dean Power spoke for the Recommendation

DECISION: 28 November 2019

MOTION

Moved Councillor J Finlay, seconded Councillor D C Gibson.

That the Motion, as per the Recommendation to Council, be adopted.

CARRIED 12:0

FOR VOTE: Mayor Councillor A M van Zetten, Deputy Mayor Councillor D C Gibson, Councillor J Finlay, Councillor A E Dawkins, Councillor N D Daking, Councillor D H McKenzie, Councillor K P Stojansek, Councillor R I Soward, Councillor P S Spencer, Councillor J G Cox, Councillor A G Harris and Councillor T G Walker

Council resumed the published order of business at Agenda Item 9.1 - Mayor's Announcements

9 ANNOUNCEMENTS BY THE MAYOR

9.1 Mayors Announcements

FILE NO: SF2375

Friday 15 November 2019

- Met with Thippawan Supamitkitja, Royal Thai Embassy Charge d'Affairs during official visit to Launceston
- Attended the 2019 Australian Veteran Golf Championship Gala Presentation dinner

Saturday 16 November 2019

- Attended the St Cecilia Grand End of Year Concert

Saturday 23 November 2019

- Attended a reception to commemorate Czech Republic Democracy Day and 30th Anniversary of Velvet Revolution

Wednesday 27 November 2019

- Accepted the Principal's invite to tour Queechy High School
 - Attended the Annual Stakeholder Report release - Launceston Airport
-

10 COUNCILLOR'S REPORTS

(This item provides an opportunity for Councillors to briefly report on the activities that have been undertaken in their capacity as a representative of the Council. It is not necessary to list social functions that have been attended.)

10.1 Councillor R I Soward

- **Highlighted the 2019 World Fly Fishing Championships being staged in Tasmania**

10.2 Councillor A E Dawkins

- **Attended the 30th Birthday celebrations for Laurel House**
- **Noted the Design Tasmania Gala Awards event to be held this Friday at the Centre and congratulated the finalists on their achievements**

10.3 Councillor D H McKenzie

- **Attended the Launceston Airport stakeholder event held at the QVMAG and noted the success of the Launceston Airport receiving a Gold State Tourism Award**

10.4 Councillor P S Spencer

- **Attended the Christmas Tree Lighting in the Brisbane Street Mall**

10.5 Councillor D C Gibson

- **Attended Theatre North's 2020 subscription season launch at the Princess Theatre**

10.6 Councillor A G Harris

- **Attended the *Champions of Tourism*, hosted by Tourism Northern Tasmania event at Brickenden and congratulated the finalists**

10.7 Councillor N D Daking

- **Attended the Cityprom Annual General Meeting and highlighted the launch of their new web-site - launcestoncentralcity.com.au**
 - **Attended the Christmas Tree Lighting in the Brisbane Street Mall**
-

11 QUESTIONS BY COUNCILLORS**11.1 Questions on Notice**

Local Government (Meeting Procedures) Regulations 2015 - Regulation 30

(A councillor, at least seven days before an ordinary Council Meeting or a Council Committee Meeting, may give written notice to the General Manager of a question in respect of which the councillor seeks an answer at that Meeting. An answer to a Question on Notice will be in writing.)

11.1.1 Councillors' Questions on Notice - Councillor D C Gibson - Queen Victoria Museum and Art Gallery Audit - Council Meeting - 14 November 2019**FILE NO:** SF2375**AUTHOR:** Anthea Rooney (Committee Clerk)**GENERAL MANAGER:** Michael Stretton (General Manager)

QUESTIONS and RESPONSES:

The following question, asked at Council on 14 November 2019 by Councillor D C Gibson, has been answered by Ms T Puklowski (Director Creative Arts and Cultural Services).

Questions:

1. Can Councillors be provided with an update on the Audit being undertaken at the Queen Victoria Museum and Art Gallery?

Response:

The audit of the Queen Victoria Museum and Art Gallery (QVMAG) is progressing smoothly and will provide the City of Launceston with greater access to its many cultural assets in the future. We are currently working through the Visual Arts assets of the City and have been heartened by the response of visitors appreciating the 'behind the scenes' workings of a day-to-day cultural institution. Additionally, we have recently launched an intern program which has attracted museum workers from around the country to QVMAG to assist with the audit. These internships are project-based and focus on the Garry Greenwood Collection and archives in the Visual Art and Design Collection, the Kaw Family Collection and the Ross Female Factory Collection from our History Department. These projects contribute to the audit as well as create opportunities for future exhibitions as we learn more about our Collections. We have already documented about 500 objects and are uncovering some extraordinary items such as 150 year-old botanical specimens from Low Head and a convict vest.

A summary of the Audit, including a video presented by Christine Hansen, QVMAG's Manager Collections and Research, can be found here at <https://www.qvmag.tas.gov.au/About/The-Collection-Audit>

11.1.2 Councillors' Questions on Notice - Councillor D C Gibson - Princess Theatre Recycling - Council Meeting - 14 November 2019**FILE NO:** SF2375**AUTHOR:** Anthea Rooney (Committee Clerk)**GENERAL MANAGER:** Michael Stretton (General Manager)

QUESTIONS and RESPONSES:

The following question, asked at Council on 14 November 2019 by Councillor D C Gibson, has been answered by Mr S G Eberhardt (Director Infrastructure Services).

Questions:

1. Is it possible to have an update on the implementation of recycling for both patrons and users of the Princess Theatre?

Response:

Princess Theatre is leased to Theatre North to operate. The lease places the responsibility to manage waste and recycling with Theatre North, the operator.

Council Officers met with Theatre North on 9 April 2019 to assess options to improved waste management practices. Currently, there is cardboard recycling onsite and Theatre North utilise the CBD bag collection service. Some of the challenges presented for waste management at the theatre are space for storage and access for collections.

The Council is in the process of preparing the CBD mobile bin roll out with the service due to commence on 6 April 2020. This will be an opt-in service for businesses and residents currently utilising the purple bag system. The service includes weekly waste (140L or 240L) and fortnightly recycling (240L) and will need to be organised and paid for by the occupier; Theatre North in this case.

Theatre North are considering to either opt into this service or extend their current cardboard recycling service with their private contractor to include comingled recycling.

Options discussed also included bio cups to reduce single-use-plastic. Theatre North have been advised that it is the Council's intent to implement a policy framework to phase out single use plastics at events, markets and other activities on Council managed/owned land and Council sponsored events by 2022. This will be in relation to straws, cups, crockery, cutlery, stirrers and food and beverage packaging.

11.1.2 Councillors' Questions on Notice - Councillor D C Gibson - Princess Theatre Recycling - Council Meeting - 14 November 2019 ...(Cont'd)

Officers will continue to work with Theatre North to achieve the best outcomes for resource recovery from their activities.

11.1.3 Councillors' Questions on Notice - Councillor T G Walker - Gorge Hotel Development - Council Meeting - 14 November 2019**FILE NO:** SF2375**AUTHOR:** Anthea Rooney (Committee Clerk)**GENERAL MANAGER:** Michael Stretton (General Manager)

QUESTIONS and RESPONSES:

The following question, asked at Council on 14 November 2019 by Councillor T G Walker, has been answered by Mrs L M Hurst (Director Development Services).

Questions:

1. How much has it cost the Council to pursue this matter through the Appeals Tribunal?

Response:

As a respondent to the appeal for DA0127/2019, the Council engaged the services of legal counsel at a total cost of \$15,449.50 (GST inc.). Officer time, including the Council's Town Planners attendance at the Tribunal hearings, has not been separately costed.

11.2 Questions Without Notice

Local Government (Meeting Procedures) Regulations 2015 - Regulation 29

(Questions Without Notice, and any answers to those questions, are not required to be recorded in the Minutes of the Meeting.)

No Councillor's Questions Without Notice were identified as part of these Minutes

12 COMMITTEE REPORTS

12.1 Northern Youth Coordinating Committee Meeting - 5 November 2019

FILE NO: SF0136

AUTHOR: Claudia Taylor (Youth Development Officer)

DIRECTOR: Leanne Hurst (Director Development Services)

DECISION STATEMENT:

To receive and consider a report from the Northern Youth Coordinating Committee's regular meeting held on 5 November 2019.

RECOMMENDATION:

That Council receives the report from the Northern Youth Coordinating Committee Meeting held on 5 November 2019.

Mrs L Hurst (Director Development Services) was in attendance to answer questions of Council in respect of this Agenda Item.

DECISION: 28 November 2019

MOTION

Moved Councillor D C Gibson, seconded Councillor J Finlay.

That the Motion, as per the Recommendation to Council, be adopted.

CARRIED 12:0

FOR VOTE: Mayor Councillor A M van Zetten, Deputy Mayor Councillor D C Gibson, Councillor J Finlay, Councillor A E Dawkins, Councillor N D Daking, Councillor D H McKenzie, Councillor K P Stojansek, Councillor R I Soward, Councillor P S Spencer, Councillor J G Cox, Councillor A G Harris and Councillor T G Walker

12.2 Audit Panel Meeting - 6 November 2019**FILE NO:** SF3611**AUTHOR:** Paul Gimpl (Chief Financial Officer)**DIRECTOR:** Louise Foster (Director Corporate Services)

DECISION STATEMENT:

To receive a report from the Audit Panel following the Meeting held on 6 November 2019.

RECOMMENDATION:

That Council receives the report from the Audit Panel Meeting held on 6 November 2019.

Ms L Foster (Director Corporate Services) was in attendance to answer questions of Council in respect of this Agenda Item.

DECISION: 28 November 2019**MOTION**

Moved Councillor D H McKenzie, seconded Councillor J Finlay.

That the Motion, as per the Recommendation to Council, be adopted.

CARRIED 12:0

FOR VOTE: Mayor Councillor A M van Zetten, Deputy Mayor Councillor D C Gibson, Councillor J Finlay, Councillor A E Dawkins, Councillor N D Daking, Councillor D H McKenzie, Councillor K P Stojansek, Councillor R I Soward, Councillor P S Spencer, Councillor J G Cox, Councillor A G Harris and Councillor T G Walker

13 COUNCIL WORKSHOPS

13.1 Council Workshop Report

FILE NO: SF4401

AUTHOR: Anthea Rooney (Committee Clerk)

DIRECTOR: Louise Foster (Director Corporate Services)

DECISION STATEMENT:

To consider Council Workshops conducted since the last Council Meeting.

RECOMMENDATION:

That, pursuant to Regulation 2(c) of the *Local Government (Meeting Procedures) Regulations 2015*, Council notes the Council Workshops conducted since the last Council Meeting, for the purposes described:

Workshops conducted on 21 November 2019:

St Leonards Update and St Leonards Land Draft Strategy

Councillors were provided with an update on the St Leonards project and an introduction to the draft land strategy for the St Leonards Masterplan.

Relbia Review Update

Councillors were provided with information regarding the Relbia Review Update.

Revised Entry of the Cataract Gorge Reserve on the Tasmanian Heritage Register

Councillors received a summary of the proposed registration of the Cataract Gorge Reserve on the Tasmanian Heritage Register.

Tomorrow Together Community Engagement Project Update

Councillors were provided with an update on the Tomorrow Together Community Engagement project.

Procurement Update - Internal Audit Outcomes and Document Review

Councillors discussed documentation relating to the update of the City of Launceston Procurement Policy and the Code for Tenders and Contracts.

Ms L Foster (Director Corporate Services) was in attendance to answer questions of Council in respect of this Agenda Item.

13.1 Council Workshop Report ...(Cont'd)

DECISION: 28 November 2019**MOTION****Moved Councillor A G Harris, seconded Councillor D H McKenzie.****That the Motion, as per the Recommendation to Council, be adopted.****CARRIED 12:0****FOR VOTE: Mayor Councillor A M van Zetten, Deputy Mayor Councillor D C Gibson, Councillor J Finlay, Councillor A E Dawkins, Councillor N D Daking, Councillor D H McKenzie, Councillor K P Stojansek, Councillor R I Soward, Councillor P S Spencer, Councillor J G Cox, Councillor A G Harris and Councillor T G Walker**

14 NOTICES OF MOTION

Local Government (Meeting Procedures) Regulations 2015 - Regulation 16(5)

No Notices of Motion were identified as part of these Minutes

15 DEVELOPMENT SERVICES DIRECTORATE ITEMS**15.1 Delegation from Council to Council Officers - *Building Act 2016 (Tas)* and *Building Regulations 2016*****FILE NO:** SF2611/SF0113**AUTHOR:** Duncan Campbell (Governance and Paralegal Officer)**DIRECTOR:** Leanne Hurst (Director Development Services)

DECISION STATEMENT:

To consider the delegation from Council to the Chief Executive Officer and other Council officers of particular powers and functions under the *Building Act 2016 (Tas)* and the *Building Regulations 2016 (Tas)*.

PREVIOUS COUNCIL CONSIDERATION:

Council Meeting - 23 January 2017 - Agenda Item 19.4 - Delegation from Council to General Manager - *Building Act 2016 (Tas)* and *Building Regulations 2016 (Tas)*

Council Meeting - 14 November 2019 - Agenda Item 15.1 - Delegation from Council to Council Officers - *Building Act 2016 (Tas)* and *Building Regulations 2016 (Tas)*

RECOMMENDATION:

That Council:

1. pursuant to section 8(3) of the *Building Act 2016 (Tas)* delegates to the holder(s) of the position(s) in Column One of the Schedule, the functions and powers under the sections of the *Building Act 2016 (Tas)* and the regulations of the *Building Regulations 2016 (Tas)* specified in Column B of the Schedule, subject to restrictions (if any) referred to in Column Three of the Schedule.
 2. determines that although the decision to delegate the powers and functions under the *Building Act 2016 (Tas)* and *Building Regulations 2016 (Tas)* is made today, the effective date of delegation is 9 December 2019.
 3. determines that the delegations made by the decision are made in addition to, and do not revoke or otherwise vary, any previous delegation made under the *Building Act 2016 (Tas)* and *Building Regulations 2016 (Tas)*.
-

15.1 Delegation from Council to Council Officers - *Building Act 2016 (Tas)* and *Building Regulations 2016 ... (Cont'd)*

4. pursuant to section 23AA(2)(b) of the *Acts Interpretation Act 1931 (Tas)*, authorises the Mayor to evidence the delegations made by this decision, by signing an instrument of delegation referring to this decision and replicating, either exactly or in substance, the terms of the delegations effected by these Recommendations.
5. notes that the following table is the schedule referred to at Recommendation 1.

The Schedule

Column One	Column Two	Column Three
Position	Extent of delegation	Restrictions
General Manager Community and Place Manager Health and Compliance Team Leader Compliance	Section 27, 265, 266, 267, 269, 271. Regulation 43, 53.	Nil
Coordinator Administration Administration and Technical Officer Team Leader Statutory Services Statutory Services Officer Permit Authority Officer Planning Administration Officer Administration Officer - City Development	Section 27.	Nil
General Manager Organisational Services Manager Governance Team Leader Legal Services	Section 27(3).	Nil

Mrs L Hurst (Director Development Services) and Mr D Campbell (Governance and Paralegal Officer) were in attendance to answer questions of Council in respect of this Agenda Item.

15.1 Delegation from Council to Council Officers - *Building Act 2016 (Tas)* and *Building Regulations 2016 ...*(Cont'd)

DECISION: 28 November 2019

MOTION

Moved Councillor J Finlay, seconded Councillor D C Gibson.

That the Motion, as per the Recommendation to Council, be adopted.

CARRIED 12:0

FOR VOTE: Mayor Councillor A M van Zetten, Deputy Mayor Councillor D C Gibson, Councillor J Finlay, Councillor A E Dawkins, Councillor N D Daking, Councillor D H McKenzie, Councillor K P Stojansek, Councillor R I Soward, Councillor P S Spencer, Councillor J G Cox, Councillor A G Harris and Councillor T G Walker

15.2 Revised Entry of the Cataract Gorge Reserve on the Tasmanian Heritage Register**FILE NO:** SF2965**AUTHOR:** Fiona Ranson (Heritage Planner)**DIRECTOR:** Leanne Hurst (Director Development Services)

DECISION STATEMENT:

To consider, as land owner, the revised permanent replacement entry of the Cataract Gorge Reserve on the Tasmanian Heritage Register.

PREVIOUS COUNCIL CONSIDERATION:

Workshop 21 November 2019 - Revised Entry of the Cataract Gorge Reserve on the Tasmanian Heritage Register

RECOMMENDATION:

That Council advises the Tasmanian Heritage Council that it supports the revised registration of the Cataract Gorge Reserve on the Tasmanian Heritage Register.

Mrs L Hurst (Director Development Services) was in attendance to answer questions of Council in respect of this Agenda Item.

DECISION: 28 November 2019**MOTION**

Moved Councillor D H McKenzie, seconded Councillor T G Walker.

That the Motion, as per the Recommendation to Council, be adopted.

CARRIED 12:0

FOR VOTE: Mayor Councillor A M van Zetten, Deputy Mayor Councillor D C Gibson, Councillor J Finlay, Councillor A E Dawkins, Councillor N D Daking, Councillor D H McKenzie, Councillor K P Stojansek, Councillor R I Soward, Councillor P S Spencer, Councillor J G Cox, Councillor A G Harris and Councillor T G Walker

16 FACILITIES MANAGEMENT DIRECTORATE ITEMS

No Items were identified as part of these Minutes

17 CREATIVE ARTS AND CULTURAL SERVICES DIRECTORATE ITEMS

No Items were identified as part of these Minutes

18 INFRASTRUCTURE SERVICES DIRECTORATE ITEMS**18.1 Unsolicited Proposals to Develop Council Owned Property - High Level Procedure****FILE NO:** SF3658**AUTHOR:** Danielle Denning (Parks Planner)**DIRECTOR:** Shane Eberhardt (Director Infrastructure Services)

DECISION STATEMENT:

To consider approving the Unsolicited Proposals to Develop Council Owned Property High Level Procedure (24-HLPr-018).

PREVIOUS COUNCIL CONSIDERATION:

Workshop - 7 November 2019 - Cataract Gorge Area - Development Assessment Framework

Workshop - 15 August 2019 - Cataract Gorge Area - Development Assessment Framework

Council - 26 October 2015 - Agenda Item 18.1 - Reimagining the Gorge Project

RECOMMENDATION:

That Council approves the Unsolicited Proposals to Develop Council Owned Property High Level Procedure (24-HLPr-018) as follows:

OBJECTIVES:

To provide an open, easily understood and consistent process for Council to assess unsolicited proposals to develop on Council property that:

- allows Council to respond fairly to ideas.
- respects community values and future expectations.
- identifies the highest and best use of the land under consideration.
- does not advantage one business over any others.

SCOPE:

The process discussed in this document:

- Deals only with unsolicited proposals to develop Council owned property. Property includes vacant land or structures owned by the Council or leased by the Council.
-

18.1 Unsolicited Proposals to Develop Council Owned Property - High Level Procedure ...(Cont'd)

- Provides criteria and steps for the Council to fairly and consistently determine if landowner consent to lodge a development application should be given for unsolicited proposals.
- Aims to provide certainty for the Council and the developer.
- Does not replace or influence the statutory assessment of a development application.
- Does not replace the statutory obligations associated with the sale or lease of public land.

PROCEDURE:

Figure 1 summarises the steps in the process for considering unsolicited proposals to develop council owned property.

The underlying values supporting this high level procedure are:

We are committed to an open, easily understood and consistent process that:

- Allows Council to fairly respond to ideas.
 - Respects community values and future expectations.
 - Identifies the highest and best use of the land under consideration.
 - Does not advantage one business over any others.
-

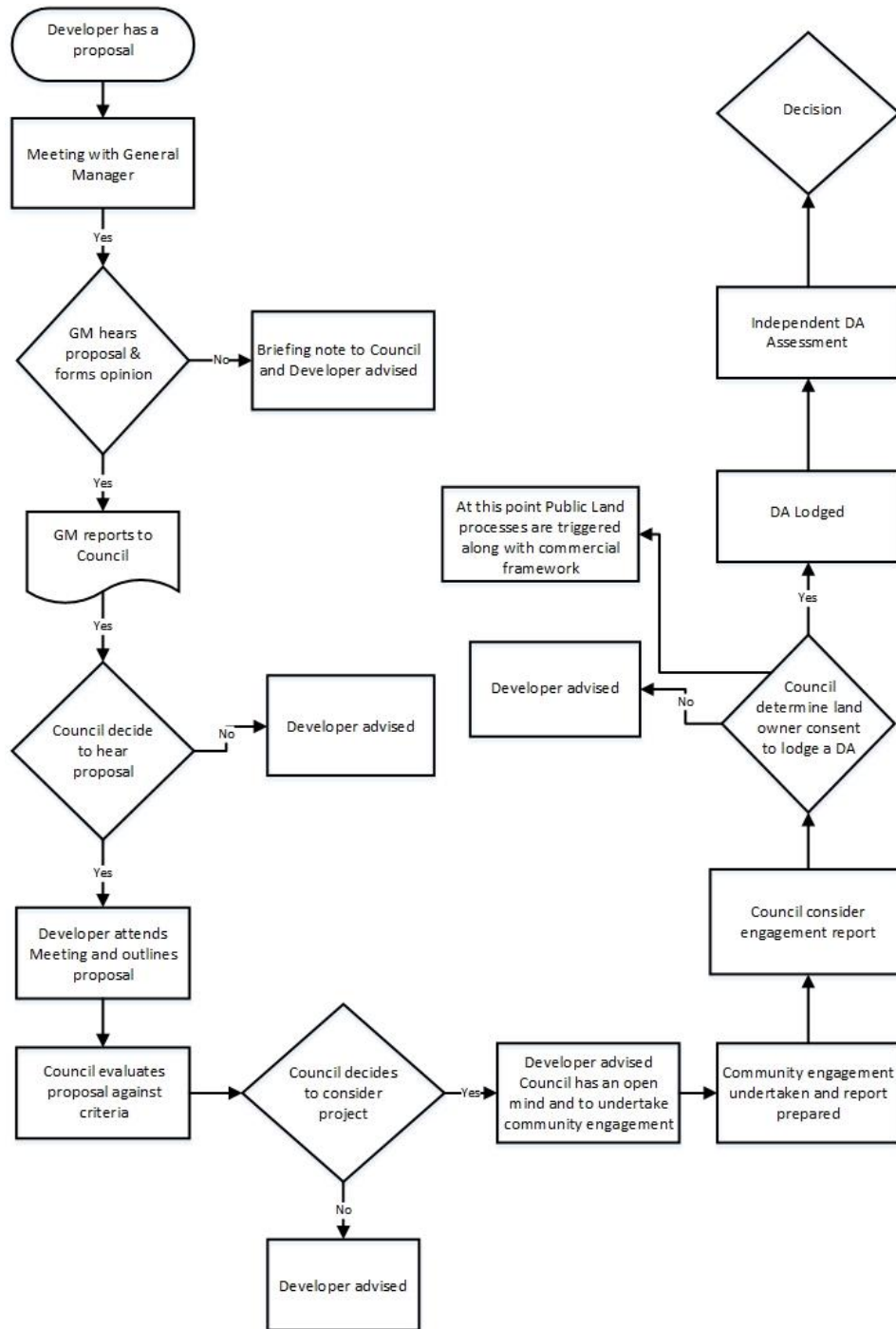


Figure 1: Flow chart for unsolicited proposals to develop Council owned property.

The following provides additional information for each step in the flow chart.

18.1 Unsolicited Proposals to Develop Council Owned Property - High Level Procedure ...(Cont'd)

Step 1 - Developer raises a proposal

Unsolicited proposals usually come through a variety of channels like:

- Meeting with Mayor.
- Discussions with individual Councillors.
- Announcing the idea in the media.
- Direct approach to management or planning staff.

Once a proposal is raised, it is referred to the General Manager as the entry point for the process.

Step 2 - Meeting with General Manager

An appointment is made between the developer and General Manager to discuss the proposal.

Step 3 - General Manager hears proposal and forms opinion

This is the first opportunity for the developer to outline the proposal and the General Manager to form a view.

Factors to take into consideration include:

- The level of detail.
- Alignment with strategies and plans.
- Proposed funding arrangements.
- Probable alignment with the assessment criteria.

If the General Manager determines there is insufficient reason to take the proposal further, then the developer should be informed, with confirmation in writing, that the proposal is not acceptable with the reasons for the decision.

The General Manager is to provide a briefing note to the Mayor about the proposal and reasons for the decision.

If the General Manager determines the proposal warrants further consideration, then the developer is to be advised that a discussion paper will be prepared for consideration by Councillors. No further commitment should be made to the developer.

In either case, a copy of the assessment criteria is to be provided to the developer.

Step 4 - General Manager reports to Council

A discussion paper about the proposal is to be prepared by the General Manager setting out the issues for and against. The report is to be discussed at a workshop or in closed council. Councillors can use the assessment criteria to form an initial opinion.

18.1 Unsolicited Proposals to Develop Council Owned Property - High Level Procedure ...(Cont'd)

Should Council decide not to proceed then the developer is to be advised in writing.

If there is interest in finding out more about the proposal, the developer is to be given the opportunity to attend a meeting with Councillors.

Step 5 - Developer attends meeting and outlines proposal

The purpose of this meeting is for Council to get sufficient information to form a judgement. No commitment is to be made to the developer. For commercial reasons the initial meeting should be at a workshop or in closed Council.

Step 6 - Council evaluates the proposal against the assessment criteria

After hearing about the proposal, Councillors are to evaluate it against the weighted assessment criteria for unsolicited proposals (Table 1). Using weighting and scoring assists with the evaluation process.

The process is as follows:

- Each participant in the assessment works alone and allocates their rating (1-10) with for each of the weighted criteria.
- The weight is multiplied by the rating to calculate a score. At the completion of the evaluation a total score for each criteria will be generated that can be expressed as a percentage of the possible maximum score if the development was fully compliant. If the proposed development scored 10 for all the ten recommended criteria, the maximum score would be 740. The minimum score would be 74.
- The total score and % of the possible maximum score are compared for each participant.
- Differing assessments are explained.
- A consensus score is negotiated that is then expressed as a % of the possible total maximum score.
- If the proposal achieves 69% or less the Council is under no obligation to advance the project at this point and the developer is advised in writing.
- If the proposal achieves 70% or more the proposal progresses to the next step.

Table 1 Assessment criteria for evaluating unsolicited proposals

* Rating from 1-10 with 1 being extremely poor, 2 very low, 3 low, 4 below average, 5 fair, 6 medium, 7 good, 8 high, 9 very high and 10 outstanding.

** Score is calculated by multiplying weight by rating.

18.1 Unsolicited Proposals to Develop Council Owned Property - High Level Procedure ...(Cont'd)

Criteria How well does the proposed development:	Considerations	Weight	Rating* (1-10)	Score**
1. Recognise and respond to Aboriginal cultural values, heritage and natural environment significance?	Some land will have higher heritage values that need to be taken into account when considering future development. Is the land in question on any heritage register? How well does the proposed development plan to manage heritage issues?	10		
2. Align with existing community vision, values and sentiment?	Not all land is equal in the eyes of the community. Some sites are more valued than others and have higher community ownership. Is the community likely to be protective about the site in question?	9		
3. Provide tangible community benefit, not just private commercial benefit?	The Community must be able to recognise a clear and fair benefit versus the private sector profiting from a public asset.	9		
4. Align with existing strategy, planning and direction for the site, or demonstrate an innovative new idea or approach?	Alignment is preferable but planning may not always be right. There could be an idea not previously thought of that justifies a change in direction.	8		
5. Provide a commercial market return to Council and community via sale or lease proceeds, or other financial benefit?	There needs to be a market valuation of any land sale price or rental and possibly market testing for alternative proposals.	8		
6. Justify any funding contribution from any level of government?	Any government funding support or subsidy (community service obligation) must be for a justifiable and tangible community benefit. As a principle government funds should only be directed to public or mixed goods.	7		
7. Satisfy an existing community need?	Community engagement and planning may have identified a need that could be satisfied by the development.	6		
8. Assist in the disposal of land that is surplus to requirements?	The land may no longer be suitable for its original purpose as a result of other developments or Council ceasing to provide a service.	6		
9. Comply with the planning scheme under existing provisions or an appropriate amendment?	Is it appropriate to proceed and incur costs if compliance with the planning scheme is not possible even with a scheme amendment?	6		

18.1 Unsolicited Proposals to Develop Council Owned Property - High Level Procedure ...(Cont'd)

Criteria How well does the proposed development:	Considerations	Weight	Rating* (1-10)	Score**
10.Demonstrate practical and commercial feasibility?	A reality check on the planning for technical and economic issues. What evidence is there that the plans supporting the proposal are adequate and well considered? Is more thought needed?	5		
Score out of 740				
Percentage %				

Step 7 - The Council decides to advance the project

If the Council decides to advance the project, then the developer is to be advised that the Council has an open mind but is interested in the views of the community.

The Council may also decide at this point to test the market by seeking other proposals for the land in question. This could potentially maximise the commercial return to the Council as landowner.

Step 8 - Developer is advised the Council has an open mind and to undertake community engagement

The Council is to specify and control the community engagement process. Management of the process should be undertaken by independent facilitators because of the potential conflict of interest raised by the Council owning the land. The developer is to meet any costs associated with the community engagement.

Step 9 - Community engagement is undertaken and report prepared

As the engagement proceeds themes will become evident. These themes should be addressed in the report.

Step 10 - The Council consider engagement report

The Council should consider the results of the engagement report using the assessment criteria.

Step 11 - The Council decide to allow owner consent to lodge a development application

At this point in the process, the proposal potentially becomes a development. The Council is under no obligation to provide owner consent if they have good reason not to. The developer is to be advised in writing if owner consent is not going to be given. There is no appeal available to the developer. Giving owner consent indicates a reasonable level of interest in the project and commits the developer to incur costs. It is an encouragement to proceed. However, it does not guarantee approval. That occurs when the development application is assessed through normal planning processes.

18.1 Unsolicited Proposals to Develop Council Owned Property - High Level Procedure ...(Cont'd)

Step 12 - At this point Public Land processes are triggered along with commercial framework

Once the decision to allow a development application to be lodged is made then two areas of uncertainty need to be addressed.

If the proposal is on Public Land, then the requirements the *Local Government Act 1993* (Tas) need to be implemented to determine if the Council can dispose of the land. If this cannot be achieved, there is little point processing the development application.

The commercial arrangements, subject to the planning approval, also need to be agreed. The arrangements could include sale price, costs and substantial commencement provisions. Substantial commencement provisions should be demanding and address time taken to start and commencement of construction to first level. This protects the Council's land ownership if the development does not proceed.

There should be no settlement of the land sale until all doubt about the development commencing has gone.

Step 13 - Development application lodged and independent development assessment undertaken

At this point the impacts of the proposal will be assessed against the planning scheme requirements. This a statutory process under the *Land Use Planning and Approvals Act 1993*.

As the Council is the landowner and a planning authority there is potential conflict of interest, which could be mitigated by engaging an independent planner to undertake the assessment.

Step 14 - Decision

The Council in its capacity as a planning authority makes a decision based on the planning issues considered in the independent assessment.

The usual appeal processes apply.

RELATED POLICIES & PROCEDURES:

Greater Launceston Plan May 2014

City of Launceston Corporate Strategic Plan 2014-2024

Sustainability Strategy 2019

Horizon 2021 Economic Development Strategy

14-Plx-032 Code of Conduct for Councillors

24-PI-002 Disposal or Alienation of Council Assets Policy

24-PI-003 Council Property Management Policy

18.1 Unsolicited Proposals to Develop Council Owned Property - High Level Procedure ...(Cont'd)

Draft 24-Plx-006 Lease and Licencing Policy
26-PI-006 Parks, Reserves, Bridges and Structures Management Policy
26-SD-007 Bushfire Management Strategy for Council Owned and Managed Land 2015-2025

RELATED LEGISLATION:

Aboriginal Heritage Act 1975
Electricity Wayleaves and Easements Act 2000
Environment Protection and Biodiversity Conservation Act 1999
Fire Services Act 1995
Forest Practices Act 1985
Historic Cultural Heritage Act 1995
Local Government Act 1993 (Tas)
Local Government (Highways) Act 1982
Land Use Planning and Approvals Act 1993
Nature Conservation Act 2002
Threatened Species Protection Act 1995
Water Management Act 1999
Water and Sewerage Industry Act 2008
Weed Management Act 1999
Urban Drainage Act 2015

REFERENCES:

Campbell, B., 2019 Briefing paper on unsolicited proposals to develop Council owned property.

Cataract Gorge Reserve and Trevallyn Nature Recreation Area 2030 Re-Imagining the Cataract Gorge Final Plan 26 October 2015.

DEFINITIONS:

Not applicable

REVIEW:

This procedure will be reviewed no more than two years after the date of approval (version) or more frequently, if dictated by operational demands.

Mr S Eberhardt (Director Infrastructure Services) was in attendance to answer questions of Council in respect of this Agenda Item.

18.1 Unsolicited Proposals to Develop Council Owned Property - High Level Procedure ...(Cont'd)

DECISION: 28 November 2019**MOTION****Moved Councillor R I Soward, seconded Councillor J Finlay.****That the Motion, as per the Recommendation to Council, be adopted.****CARRIED 12:0****FOR VOTE: Mayor Councillor A M van Zetten, Deputy Mayor Councillor D C Gibson, Councillor J Finlay, Councillor A E Dawkins, Councillor N D Daking, Councillor D H McKenzie, Councillor K P Stojansek, Councillor R I Soward, Councillor P S Spencer, Councillor J G Cox, Councillor A G Harris and Councillor T G Walker**

18.2 Lease - Lilydale Bowls Club Inc.

FILE NO: 72470/72570

AUTHOR: Tricia De Leon-Hillier (Parks Lease Management Officer)

DIRECTOR: Shane Eberhardt (Director Infrastructure Services)

DECISION STATEMENT:

To consider a proposal from the Lilydale Bowls Club Inc. to lease land situated at 8 Charob Avenue, Lilydale (CT150335/3) and 10-12 Charob Avenue, Lilydale (CT 150335/13).

This decision requires an absolute majority of Council.

PREVIOUS COUNCIL CONSIDERATION:

Council - 10 August 2009 - Agenda Item 12.2 - Lease Lilydale Bowls Club Inc.

RECOMMENDATION:

1. That Council, by absolute majority, in accordance with section 179 of the *Local Government Act 1993* (Tas), agrees to lease two parcels of land situated at 8 Charob Avenue, Lilydale (CT150335/3) and 10-12 Charob Avenue, Lilydale (CT 150335/13) to the Lilydale Bowls Club Inc. as indicated on the plan below.



18.2 Lease - Lilydale Bowls Club Inc. ...(Cont'd)

2. The General Manager is authorised to enter into a formal lease under the following terms:

- the term shall be five years commencing on 1 December 2019;
 - the lease amount shall be \$1per annum if demanded;
 - tenant to be responsible for:
 - building and contents insurance;
 - energy costs;
 - volumetric and connection charges for water; and
 - sewerage charges;
 - and other service charges if any.
 - tenant shall continuously maintain:
 - any infrastructure or any infrastructure installed by the tenant or the Council in relation to the tenants occupation;
 - building in good and reasonable order; and
 - public liability insurance of at least \$10 million.
-

Mr S Eberhardt (Director Infrastructure Services) was in attendance to answer questions of Council in respect of this Agenda Item.

DECISION: 28 November 2019

MOTION

Moved Councillor D H McKenzie, seconded Councillor J G Cox.

That the Motion, as per the Recommendation to Council, be adopted.

CARRIED BY ABSOLUTE MAJORITY 12:0

FOR VOTE: Mayor Councillor A M van Zetten, Deputy Mayor Councillor D C Gibson, Councillor J Finlay, Councillor A E Dawkins, Councillor N D Daking, Councillor D H McKenzie, Councillor K P Stojansek, Councillor R I Soward, Councillor P S Spencer, Councillor J G Cox, Councillor A G Harris and Councillor T G Walker

18.3 Adoption of the Stormwater System Management Plan**FILE NO:** SF6996**AUTHOR:** Erica Deegan (Engineer Hydraulics)**DIRECTOR:** Shane Eberhardt (Director Infrastructure Services)

DECISION STATEMENT:

To consider and adopt the Stormwater System Management Plan as required by the *Urban Drainage Act 2013*.

PREVIOUS COUNCIL CONSIDERATION:

Workshop - 13 December 2018 - Stormwater Management Plan - Introduction to the Project Team and Project Planning

Workshop - 20 June 2019 - Stormwater Management Plan - Overview of the Project to Date and Discussion Prior to the *Tomorrow Together* - Resilient City Symposium

Workshop - 7 November 2019 - Stormwater Management Plan - Overview of the Stormwater System Management Plan

RECOMMENDATION:

That Council, in accordance with section 10 of the *Urban Drainage Act 2013*, adopts the Stormwater System Management Plan (ECM Document Set ID 4178815).

Mr S Eberhardt (Director Infrastructure Services) was in attendance to answer questions of Council in respect of this Agenda Item.

18.3 Adoption of the Stormwater System Management Plan ...(Cont'd)

DECISION: 28 November 2019**MOTION****Moved Councillor D H McKenzie, seconded Councillor R I Soward.****That the Motion, as per the Recommendation to Council, be adopted.****CARRIED 12:0****FOR VOTE: Mayor Councillor A M van Zetten, Deputy Mayor Councillor D C Gibson, Councillor J Finlay, Councillor A E Dawkins, Councillor N D Daking, Councillor D H McKenzie, Councillor K P Stojansek, Councillor R I Soward, Councillor P S Spencer, Councillor J G Cox, Councillor A G Harris and Councillor T G Walker**

18.4 Petition - Installation of FOGO Bins at Scotch Oakburn College

A motion was passed to bring this item forward in the Agenda. It was considered after Agenda Item 8.2 - Amendment 59 - Text Amendment to Include a Site Specific Qualification for Assisted Housing at 22 Hoblers Bridge Road, Newstead on page 12 of these Minutes.

19 CORPORATE SERVICES DIRECTORATE ITEMS

No Items were identified as part of these Minutes

20 GENERAL MANAGER'S DIRECTORATE ITEMS

No Items were identified as part of these Minutes

21 URGENT BUSINESS

Regulation 8(6) of the Local Government (Meeting Procedures) Regulations 2015, states that a council, by absolute majority at an ordinary council meeting, may decide to deal with a matter that is not on the Minutes.

No Urgent Items were identified as part of these Minutes

22 CLOSED COUNCIL

No Closed Items were identified as part of these Minutes

23 MEETING CLOSURE

The Mayor, Councillor A M van Zetten, closed the Meeting at 2.03pm.

UNCLASSIFIED MINUTES ITEMS:
